



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

RQ-2

October 15, 2023

RICHARD JEWELL, TREASURER
DAVE MCCORMICK FOR US SENATE
PO BOX 23215
PITTSBURGH, PA 15222

Response Due Date
11/20/2023

IDENTIFICATION NUMBER: C00800623

REFERENCE: JULY QUARTERLY REPORT (04/28/2022 - 06/30/2022)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 6 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,900 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

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For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question.

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Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. While it is permissible for a person to make a contribution for the general election prior to the primary election, the recipient committee must employ an acceptable accounting method to distinguish between primary and general election contributions. (11 CFR § 102.9(e)) This general election amount must be maintained in the committee's account.

Since the candidate will not participate in the general election, any contribution received for the general election must be returned to the donors or redesignated to the primary if your committee has net debts outstanding for the primary election. The Commission notes your additional explanation regarding the committee's corrective action taken for some of these contributions. To redesignate a contribution the committee must either (1) obtain signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election, or (2) redesignate the contribution by presumption to the primary election, for undesignated contributions made after the primary but before the general election, provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing. The notification must give the contributor an opportunity to request a refund. A contribution can only be redesignated to a previous election to the extent that the contribution does not exceed net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i) and (5) (ii)(C))

The attached general election contributions do not appear to have been remedied. Any subsequent report(s) filed with the Commission must disclose the refund or redesignation of any general election contribution. Refunds or redesignations must be done within 60 days after the 2022 Primary Election.

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Although the Commission may take further legal action, your prompt action to refund these contributions will be taken into consideration.

3. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions (to include loans, in-kind contributions, and advances) received by your committee after the close of books for the 12 Day Pre-Primary Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

4. Your committee filed 48-hour notices reporting the following "last minute" contributions (see attached). However, these contributions do not appear on Schedule A of this report. Please amend your report to include these contributions or provide an explanation of these apparent discrepancies. (11 CFR § 104.3(a)(4)(i))

5. Commission Regulations require the continuous reporting of all outstanding debts. This report omits debts itemized on your previous report(s). (11 CFR §§ 104.3(d) and 104.11) Please file an amendment to your report to disclose the current status of the attached debts.

6. Debt payments for this period disclosed on Schedule D are greater than the payments itemized on Schedule B. Each expenditure to a person, which in the aggregate exceeds \$200 for the election cycle, must be reported on Schedule B. "Person" includes an individual, partnership, corporation, association, and public or private organization -- other than an agency of the United States Government. Please amend your report to correct the discrepancies in the payments made to Berks County Republican Committee, \$2,000.00; Brand Aid, \$5,418.12; Carey Sirianni, \$9,000.00; Carey Sirianni, \$37,984.00; Carey Sirianni, \$37,984.00; Cavender Consulting Group, \$30,000.00; Daniel Steighner II, \$500.00; JTKE, LLC, \$8,500.00; KC Consulting, \$9,000.00; Leech Tishman Fuscaldo & Lampi, LLC, \$2,499.00; McLaughlin & Associates, Inc., \$33,000.00; Pennsylvania

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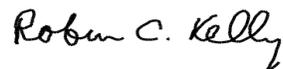
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Leadership Council, \$500.00; Roger W. Richards, Esq., \$3,261.33; Roy Engelbrecht Photography, Inc., \$34.50 and Roy Engelbrecht Photography, Inc., \$428.00. (11 CFR §§ 104.3(b)(4)(i) and 100.10)

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1170.

Sincerely,



Robin Kelly
Senior Campaign Finance Analyst

Apparent Excessive, Prohibited, and Impermissible Contributions
Dave McCormick for U.S. Senate (C00800623)

Apparent Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Busch, August A. III	5/6/22	\$5,800.00	P2022
Crane, Joshua	5/8/22	\$5,400.00	P2022
Jaindl, David	5/12/22	\$5,800.00	P2022
Kellner, Peter	5/8/22	\$5,800.00	P2022
Kellner, Peter	5/24/22	-\$2,900.00	P2022
Kellner, Peter	5/17/22	\$11,600.00	P2022
Oliver,John C., III	2/15/22	\$2,900.00	P2022
Oliver,John C., III	5/2/22	\$500.00	P2022
Plummer, Robert	5/5/22	\$5,800.00	P2022
Sherwood, Arthur W.	5/16/22	\$2,900.00	P2022
Sherwood, Arthur W	5/16/22	\$2,900.00	P2022
Sherwood, Arthur W	5/16/22	\$2,900.00	P2022

Apparent General Election Contributions
Dave McCormick for US Senate (C00800623)

2022 April Quarterly Report

Contributor Name	Date	Amount	Election
Alexos, Nicholas	1/19/22	\$2,900.00	G2022
Anthony, Len	1/31/22	\$2,900.00	G2022
Ayers, Jamie Nicholas	2/7/22	\$2,900.00	G2022
Ball, Russell	1/27/22	\$2,900.00	G2022
Beckwith, G. N., II	2/7/22	\$2,100.00	G2022
Bohigian, David	1/18/22	\$2,900.00	G2022
Brown, Reginald	1/18/22	\$2,900.00	G2022
Buckley, Walter	1/28/22	\$2,900.00	G2022
Burkland, Richard A	3/21/22	\$2,100.00	G2022
Coleman, Dennis, III	3/7/22	\$2,900.00	G2022
Corbett, Bryan	2/6/22	\$2,900.00	G2022
Crichton, James	1/18/22	\$2,900.00	G2022
Dunker, Steve	1/28/22	\$2,900.00	G2022
Foley, William P., II	3/29/22	\$2,900.00	G2022
Forrest, Tracy	3/29/22	\$2,900.00	G2022
Gilliland, John	1/20/22	\$2,100.00	G2022
Huttel, Krustin	2/7/22	\$2,900.00	G2022
Javdan, David	3/7/22	\$2,900.00	G2022
Jeffery, Robin	1/28/22	\$2,900.00	G2022
Kang, Richard	2/23/22	\$2,900.00	G2022
Konzelman, Joseph	1/24/22	\$2,900.00	G2022
Kortekoas, Leonard	1/27/22	\$2,900.00	G2022
Kroh, D. Scott	2/15/22	\$2,900.00	G2022
Kroh, Pamela J.	2/15/22	\$200.00	G2022
Levinson, David	1/18/22	\$2,900.00	G2022
Lyons, Michael	1/21/22	\$2,900.00	G2022
Malek, Frederic	3/16/22	\$2,900.00	G2022
McCormick, James	2/17/22	\$2,700.00	G2022
McCormick, Maryan	2/17/22	\$2,700.00	G2022
McFeely, Brooks	2/1/22	\$2,900.00	G2022
Muzinich, Justin	1/23/22	\$2,900.00	G2022
Nelson, Reschini, Anna-Marie	2/22/22	\$2,900.00	G2022
Parsons, Joseph	1/23/22	\$2,900.00	G2022
Pawk, Michael	1/28/22	\$2,900.00	G2022
Perot, Ross, Jr.	2/15/22	\$2,900.00	G2022
Philip, David	1/24/22	\$2,900.00	G2022
Redmond, David	1/29/22	\$2,900.00	G2022

Apparent General Election Contributions
Dave McCormick for US Senate (C00800623)

Sarsfield, Luke	1/18/22	\$2,900.00	G2022
Schenck, James	2/7/22	\$2,100.00	G2022
Schultz, James	3/15/22	\$2,900.00	G2022
Sieg, Douglas	2/9/22	\$2,900.00	G2022
Stein, Laurence	2/1/22	\$2,900.00	G2022
Stephens, Warren	1/20/22	\$2,900.00	G2022
Stroyd, Arthur	1/26/22	\$2,900.00	G2022
Thomas, Dick	1/26/22	\$2,900.00	G2022
Valani, Riaz	2/16/22	\$2,900.00	G2022
Vietri, Gregory A.	3/16/22	\$500.00	G2022
Woodings, Robert	2/15/22	\$2,900.00	G2022
Zea, Michael	1/30/22	\$2,900.00	G2022

2022 12 Day Pre-Primary Report

Contributor Name	Date	Amount	Election
Downey, Robert N.	4/21/22	\$2,900.00	G2022
High, S. Dale	4/8/22	\$813.29	G2022
Kaplan, Robert S.	4/8/22	\$2,900.00	G2022
Lowry, William	4/8/22	\$2,900.00	G2022
Mule, Edward A. .	4/8/22	\$2,900.00	G2022

2022 July Quarterly Report

Contributor Name	Date	Amount	Election
Lewis, R. J.	5/12/22	\$2,900.00	G2022
Rees-Jones, Trevor D.	5/6/22	\$2,900.00	G2022

Missing 48-Hour Notices**Dave McCormick for U.S. Senate (C00800623)**

Contributor Name	Date	Amount	Election
Fogel, Meade	4/29/22	\$2,900.00	P2022
McCormick, Dave	5/2/22	\$1,000,000.00	P2022
Zaborney, Jennifer	5/4/22	\$2,900.00	P2022
Zaborney, Raymond	5/4/22	\$2,900.00	P2022
Lampkin, Emily	5/8/22	\$2,800.00	P2022
McCormick, Dave	5/9/22	\$1,400,000.00	P2022
McCormick, Dave	5/11/22	\$328,114.56	P2022
Miller, Peter Scott	5/12/22	\$2,900.00	P2022

**Incorrectly Reported Receipts on 48-Hour Notices
Dave McCormick for U.S. Senate (C00800623)**

48-Hour Notices Filed/Contributions Not Disclosed on Schedule A

Contributor Name	Date	Amount
Fogel, David	4/29/22	\$2,900.00
Lampkin, Marc	5/8/2022	\$2,800.00
Miller, Peter Scott	5/12/2022	\$3,000.00
Zaborney, Jennifer	5/4/2022	\$5,800.00

Dave McCormick for US Senate (C00800623)

Dropped Debts

Name	Dropped Debts from 2022 12 Day Pre-Primary Report*
Ari Fleischer Communications	\$329.10
Ari Fleischer Communications	\$737.01
Ari Fleischer Communications	\$361.00
Ari Fleischer Communications	\$3,022.28
Ari Fleischer Communications	\$1,836.39
Ari Fleischer Communications	\$529.19
Ari Fleischer Communications	\$1,060.14
Ari Fleischer Communications	\$25,000.00
Axiom Strategies	\$179,492.00
Axiom Strategies	\$90,190.00
Axiom Strategies	\$7,655.02
Axiom Strategies	\$7,500.00
Axiom Strategies	\$100.00
Axiom Strategies	\$15,000.00
Axiom Strategies	\$11,465.76
Axiom Strategies	\$2,669.00
Axiom Strategies	\$2,239.51
Axiom Strategies	\$2,583.00
Berks County Republican Committee	\$2,000.00
Bradley Swindell Differential Media, LLC	\$570.00
Brand Aid	\$5,418.12
C.D. Sims & Co.	\$2,125.18
Campaign Sidekick	\$243.47

Dave McCormick for US Senate (C00800623)
Dropped Debts

Name	Dropped Debts from 2022 12 Day Pre-Primary Report*
Capitol Resource Group	\$5,000.00
Carey Sirianni	\$9,000.00
Carey Sirianni	\$37,984.00
Carey Sirianni	\$37,984.00
Cavender Consulting Group	\$30,000.00
Coldspark	\$233.19
Coldspark	\$54,000.00
Daniel Steighner II	\$500.00
Duquesne Club	\$7,179.91
Duquesne Club	\$4,907.16
Holtzman Vogel Baran Torchinsky & Josefia	\$7,500.00
JTKE, LLC	\$8,500.00
JTKE, LLC	\$7,000.00
KC Consulting	\$32,336.00
KC Consulting	\$9,000.00
Last Call Bartending	\$833.31
Leech Tishman Fuscaldo & Lampl, LLC	\$2,499.00
McLaughlin & Associates, Inc.	\$33,000.00
McLaughlin & Associates, Inc.	\$33,500.00

Dave McCormick for US Senate (C00800623)

Dropped Debts

Name	Dropped Debts from 2022 12 Day Pre-Primary Report*
Michael Roman & Associates	\$7,000.00
Pennsylvania Leadership Council	\$500.00
Pennsylvannia Entertainment Group	\$3,000.00
Porter Wright Morris & Arthur LLP	\$4,826.50
Remington Research Group	\$12,737.36
Remington Research Group	\$10,808.24
Roger W. Richards, Esq.	\$3,261.33
Roy Engelbrecht Photography Inc.	\$34.50
Roy Engelbrecht Photography Inc.	\$537.42
Roy Engelbrecht Photography Inc.	\$428.00
Socko Strategies, LLC	\$40,000.00
Socko Strategies, LLC	\$10,996.52
Something Else Strategies, LLC	\$23,686.81
Something Else Strategies, LLC	\$47,083.79
Something Else Strategies, LLC	\$8,697.00
Something Else Strategies, LLC	\$14,995.00
Something Else Strategies, LLC	\$12,190.00
Something Else Strategies, LLC	\$48,338.00
StudioME	\$139.00

Dave McCormick for US Senate (C00800623)

Dropped Debts

Name	Dropped Debts from 2022 12 Day Pre-Primary Report*
Susquehanna County GOP	\$210.00
WPAi	\$22,770.00
WPAi	\$33,550.00
*It appears that some of these debts may be reported as new debts on the 2022 July Quarterly Report. Please clarify these discrepancies and amend any reports, as necessary.	